

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re: RICKY DEAN MARSHALL <i>aka</i>	:	Chapter 13
RICKY D. MARSHALL <i>aka</i>	:	Case No. 5:17-bk-3985-RNO
RICKY MARSHALL	:	
CAPITAL ONE AUTO FINANCE, A DIVISION	:	
OF CAPITAL ONE, N.A.	:	
Movant,	:	Motion for
v.	:	Relief from Stay
RICKY DEAN MARSHALL <i>aka</i>	:	
RICKY D. MARSHALL <i>aka</i>	:	
RICKY MARSHALL	:	
and	:	
CHARLES J. DEHART, III	:	
Respondents,	:	

**ANSWER TO MOTION OF
CAPITAL ONE AUTO FINANCE FOR RELIEF FROM AUTOMATIC STAY**

AND NOW COMES Debtor, Ricky Dean Marshall, by and through his attorneys, Newman Williams, P.C., and in Answer to the Motion of Capital One Auto Finance for Relief from Stay aver:

1. Denied. Debtor lacks sufficient information and belief as to the averments of paragraph 1 and such are therefore denied.
2. Admitted.
3. Admitted.
4. Denied as stated. The loan is secured by a vehicle bearing the VIN set forth in this paragraph.
5. Denied. Debtor lacks sufficient information and belief as to the averments of paragraph 5 and such are therefore denied. Debtor demands proof of the assignment demonstrating Movant is a real party-in-interest.

6. Admitted in part and denied in part. The monthly payment and interest rate are admitted. Debtor lacks sufficient information and belief as to the remaining averments of paragraph 6 and such are therefore denied.

7. Admitted in part and denied in part. Debtor admits he missed certain post-petition payments. Debtor lacks sufficient information and belief as to the amount outstanding and therefore those averments are denied.

8. Denied. Debtor lacks sufficient information and belief as to the averments of paragraph 8 and such are therefore denied. Debtor demands proof of the retail value of the vehicle.

9. Denied to the extent the averments of paragraph 9 constitute anything other than a statement or conclusion of law or misplaced request for relief.

10. Denied to the extent the averments of paragraph 10 constitute anything other than a statement or conclusion of law or misplaced request for relief.

11. Denied to the extent the averments of paragraph 11 constitute anything other than a statement or conclusion of law or misplaced request for relief. Movant has not alleged grounds for such extraordinary relief.

12. Denied. Debtor lacks sufficient information and belief as to the averments of paragraph 12 and such are therefore denied.

WHEREFORE, Debtor, RICKY DEAN MARSHALL, respectfully prays this Honorable Court for an Order that the Motion of Capital One Auto Finance for Relief from Stay be denied, and for such other and further relief as the Honorable Court deems just and appropriate.

NEWMAN WILLIAMS, P.C.

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